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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS
ANTITRUST LITIGATION

No. 3:10-md-2143 RS

INDIRECT PURCHASER PLAINTIFFS'
OPPOSITION TO OBJECTING CLASS
MEMBER SHIYANG HUANG'S
MOTION FOR OBJECTOR AWARD

DATE ACTION FILED: Oct. 27, 2009

This Document Relates to:

ALL INDIRECT PURCHASER ACTIONS

1 Objector Shiyang Huang seeks an award for his recent objections. Because he created no
2 benefit for the class on remand from the Ninth Circuit, his motion should be denied.

3 When this Court first considered the three settlement rounds and fee awards beginning in
4 2016, in contrast to other unnamed class members who both objected and appealed, Huang did not
5 appear at that time. He began filing objections only after the Ninth Circuit remanded last year for
6 further proceedings. Although these circumstances do not categorically preclude an objector award,
7 the main (but not only) obstacle to any award is causation. To the extent Huang echoed the
8 arguments already made by objector Conner Erwin, his contentions were duplicative. To the extent
9 Huang made new arguments, such as urging use of marginal rates despite the lack of any proviso
10 governing fees, the Court rejected those contentions.¹

11 It is not enough that Huang believes his objections were in good faith or that he chose to
12 spend time objecting. Rather than aiding the decisional process, Huang has wasted both judicial and
13 party resources with groundless motions and other requests, including a 23-page motion for
14 reconsideration.² Huang cites various authorities—mostly from outside the Ninth Circuit—but none in
15 any event support an objector award. In his most prominent case, for example, the district court
16 “question[ed]” the propriety of an award but granted \$1 “in light of the lack of opposition, the nominal
17 amount requested, and the fact that there is no Eleventh Circuit precedent directly on point.”³

18 Here, Huang did not contribute to the class benefit in any meaningful or productive way.
19 Given that his objections did not “increase the fund or otherwise substantially benefit the class
20 members,” Huang’s motion should be denied.⁴

21 DATED: October 5, 2021

HAGENS BERMAN SOBOL SHAPIRO LLP

22 By s/ Shana E. Scarlett

23 SHANA E. SCARLETT

24 ¹ See Order Granting in Part Renewed Motion for Attorney Fees and Denying Motion to Enforce
25 Settlement, Return Class Funds, and Disgorge Fees, ECF No. 3027 at 9-10, 13 (July 2, 2021).

26 ² See Order Denying Rule 59(e) Motion, ECF No. 3055 (Aug. 9, 2021). Although the Court’s
27 denial of reconsideration mooted the need to respond, Class Counsel spent approximately 15 hours
28 preparing an opposition memorandum that proved to be unnecessary.

³ *Kukorinis v. Walmart, Inc.*, No. 19-cv-20592, ECF No. 97, at 18 (S.D. Fla. Sept. 20, 2021).

⁴ *Rodriguez v. Disner*, 688 F.3d 645, 658 (9th Cir. 2012) (citation omitted).

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